

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

DARIUS HOWARD,

Plaintiff,

-against-

CITY OF ROCHESTER,  
JONATHAN LAUREANO,  
COUNTY OF MONROE, and  
DARREN PILATO,

Defendants.

**NOTICE OF MOTION FOR AN  
UNSEALING ORDER**

Case No.: 23-cv-6561 (FPG) (MJP)

PLEASE TAKE NOTICE that upon the annexed Declaration of Clyde Rastetter, duly sworn to on September 30, 2024, the attachments thereto, and the Memorandum of Law filed herewith, and upon all the pleadings and proceedings heretofore had herein, Plaintiff hereby moves this Court, before the Honorable Mark W. Pedersen, for an order:

- (a) Unsealing the complete contents of the file related to Plaintiff Darius Howard's underlying criminal prosecution, *People v. Darius Howard*, Ind. No. 2016-154 (Sup Ct, Monroe County), for use solely in prosecuting or defending claims in this matter or the related matter of *Owens v. County of Monroe*, 21-cv-06445 (FPG) (MWP) (W.D.N.Y.) and pursuant to the existing protective orders in place in each case;
- (b) Directing that a complete copy of all records and papers related to *People v. Darius Howard*, Ind. No. 2016-154 and on file with any court, policy agency, prosecutor's office, or state or local agency be provided to counsel for Plaintiff and Defendants herein; and

(c) Granting any alternative or additional relief the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that that pursuant to Rule 7(a)(1) of the Local Rules of this Court, Plaintiff intends to file reply papers.

Dated: Brooklyn, New York  
September 30, 2024

Respectfully submitted,  
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